

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Will L. Culpepper et al.)	
)	Art Unit: 3651
Application No. 09/839,616)	
)	Examiner: Joseph Valenza
Filed: April 20, 2001)	
)	
For: Article Transport, Meterer and Loader)	

Mail Stop PETITIONS
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22315-1450

PETITION TO REVIVE AN UNINTENTIONALLY ABANDONED APPLICATION

Sir:

It is respectfully requested that the above-identified application, which was unintentionally abandoned, be revived. As can be noted by the file history, the application was filed on April 20, 2001. A Notice to File Corrected Application Papers was mailed on June 15, 2001. On January 2, 2002, a Petition to Revive was filed together with the Response to the Notice to File Corrected Application Papers. On February 7, 2002, the Petition was dismissed as moot. On April 19, 2002, a final Office Action was mailed. Around this time, responsible in-house attorney for this application was transferred to another office. As of today, no replacement for this attorney has been made. While the non-final action was docketed, the response date was missed due to lack of oversight.

PETITION TO REVIVE AN UNINTENTIONALLY ABANDONED APPLICATION

A Notice of Abandonment was mailed on December 10, 2002. The attorney of record was in a satellite office, and the staff mistakenly believed that the application could not be reinstated. On or about February 2006, the applicant requested that the undersigned attorney review the application. At that time, the undersigned rendered an opinion that a petition to revive the application may be filed, as the actual abandonment of the application was indeed unintentional.

Enclosed herewith are:

- a Response to the Final Office Action; and
- the petition fee required under 37 C.F.R. § 1.17(m).

Since this application was filed after June 8, 1995, no terminal disclaimer is required.

The entire delay in filing the required reply to the Official Action mailed April 19, 2002 until the filing of this petition was unintentional. Therefore, it is respectfully requested that the present case, which was unintentionally abandoned, be revived.

Respectfully submitted,



Cynthia R. Parks
Reg. No. 52,096

Date: May 26, 2006
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Docket No: D-3032-1